

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

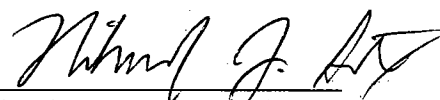
LONDON RIOS, an infant by her	:	SUPERIOR COURT OF NEW JERSEY
Guardian and Litem, ALFREDO RIOS, JR.,	:	MIDDLESEX COUNTY
ALFREDO RIOS, JR., individually and	:	
YVONNE RIOS	:	
	:	
Plaintiffs,	:	
	:	LAW DIVISION
vs.	:	
	:	No.: L-4885-10
KOALA KARE PRODUCTS, a DIVISION	:	
OF BOBRICK WASHROOM	:	CIVIL ACTION
EQUIPMENT, JOHN DOE 1-5, XYZ	:	
CORPORATION 1-10, HMS HOST, INC.,	:	<u>NOTICE OF FILING NOTICE OF</u>
JOHN DOE 6-10 and XYZ	:	<u>REMOVAL</u>
CORPORATION 11-20,	:	
	:	
Defendants.	:	

TO: Andrew S. Maze, Esquire
302 Amboy Avenue
Woodbridge, NJ 07095

PLEASE TAKE NOTICE that in the above-entitled action, defendant HMSHost Toll Roads, Inc. has this day filed a Notice of Removal, a copy of which is attached hereto, in the Office of the Clerk of the United States District Court for the District of New Jersey. You are also advised that the defendant, upon filing of said Notice of Removal, filed a copy of this Notice with the Clerk of the Superior Court of New Jersey, Law Division, Middlesex County, which has effected this removal, in accordance with 28 U.S.C. § 1446(b).

RAWLE & HENDERSON LLP

By:


Richard J. Sexton, Esquire
Attorneys for Defendants
40 Lake Center Executive Park
401 Route 73 North, Suite 200
Marlton, NJ 08053
(856) 596-4800

Date: 8/20/10

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LONDON RIOS, an infant by her
Guardian and Litem, ALFREDO RIOS, JR.,
ALFREDO RIOS, JR., individually and
YVONNE RIOS
Plaintiffs,
vs.
KOALA KARE PRODUCTS, a DIVISION
OF BOBRICK WASHROOM
EQUIPMENT, JOHN DOE 1-5, XYZ
CORPORATION 1-10, HMS HOST, INC.,
JOHN DOE 6-10 and XYZ
CORPORATION 11-20,
Defendants.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY
LAW DIVISION
No.: L-4885-10
CIVIL ACTION
NOTICE OF REMOVAL

TO: The Judges of the United States District Court for the District of New Jersey

PLEASE TAKE NOTICE that Defendant HMSHost Toll Roads, Inc. (“HMSHost”) hereby removes the above-entitled action from the Superior Court of New Jersey, Law Division, Middlesex County, New Jersey to the United States District Court for the District of New Jersey pursuant to 28 U.S.C. Sections 1332, 1441 and 1446.

In support of the Notice of Removal, Defendant states:

1. On July 2, 2010, Plaintiffs filed a Complaint in the Superior Court of New Jersey, Law Division, Middlesex County, New Jersey. The Complaint alleges that London Rios, an infant, sustained serious personal injuries when she became entangled in a baby seat with the child hanging by her neck in the baby seat as a result of an incident at the Thomas Edison Travel Plaza on the New Jersey Turnpike in Middlesex County, New Jersey. A copy of the Complaint as well as the notice provided to defendant HMSHost of said suit is attached hereto as Exhibit "A."

2. Based on Plaintiffs' Complaint alleging that London Rios suffered serious personal injuries and resulting damages, it is averred that this matter in controversy exceeds the amount of \$75,000.00, exclusive of interest and costs.

3. As of the date of the filing of Plaintiffs' Complaint and up through the present date, HMSHost is a Delaware corporation with its principal place of business at 6905 Rockledge Drive, Bethesda, Maryland 20817.

4. As of the date of the filing of Plaintiffs' Complaint and up through the present date, Koala Kare Products, a division of Bobrick Washroom Equipment, is a California corporation with its principal place of business at 11611 Hart Street, North Hollywood, California, 91605.

5. Plaintiffs' Complaint states that the Plaintiffs reside in Edinburg, Texas.

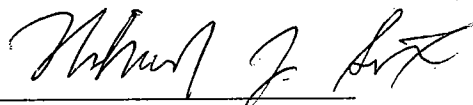
6. Accordingly, the United States District Court for the District of New Jersey has original jurisdiction over this action pursuant to 28 U.S.C. §1332 because it arises between citizens of different states and the amount in controversy is in excess of \$75,000.00, exclusive of interest and costs.

7. HMSHost first received a copy of the initial pleading in this action, through receipt of said pleading on July 28, 2010. (Exhibit "A"). Accordingly, this Notice of Removal is filed within thirty (30) days of HMSHost's receipt of Plaintiffs' initial pleading, and within 30 days of Plaintiffs' service of its initial pleading upon HMSHost.

8. Codefendant Koala Kare Products, a division of Bobrick Washroom Equipment, has consented to the removal of this action to the United States District Court for the District of New Jersey., as stated in Exhibit "B", attached hereto.

WHEREFORE, defendant, HMSHost Toll Roads, Inc., prays that the above-captioned matter, now pending in the Superior Court of New Jersey, Law Division, Middlesex County, be removed therefrom to the United States District Court for the District of New Jersey.

RAWLE & HENDERSON LLP

By: 

Richard J. Sexton, Esquire
Attorneys for Defendant
40 Lake Center Executive Park
401 Route 73 North, Suite 200
Marlton, NJ 08053
(856) 596-4800

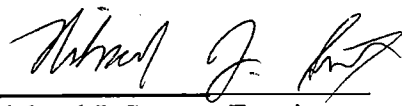
Dated: 8/20/10

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the within-captioned Notice of Removal as well as Notice of Filing Notice of Removal was served via facsimile to:

Andrew S. Maze, Esquire
302 Amboy Avenue
Woodbridge, NJ 07095

RAWLE & HENDERSON, LLP

By: 
Richard J. Sexton, Esquire
Attorneys for Defendant,
HMSHost Toll Roads, Inc.

Dated: 8/20/10